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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

GENESIS MICROCHIP,

No. C 02-01300 CRB

Plaintiff,

ORDER

v.

MEDIA REALITY TECHNOLOGIES, et al.,

Defendant.

On June 9, 2005, this Court signed a proposed "Stipulated Consent Judgment" dismissing defendant Trumpion from this action. See Docket No. 177. Due to inadvertence, the order included an instruction directing the clerk to "enter final judgment forthwith." See id. p.2. This instruction was erroneous, since the Court has not yet finally adjudicated plaintiffs claims with respect to defendant Media Reality Technologies ("MRT") or MRT's counterclaims. See Federal Rule of Civ. Proc. 54(b). Therefore, the portion of the "Stipulated Consent Judgment" stating that "The clerk is directed to enter final judgment ///

forthwith," is hereby stricken from the Court's order. <u>See</u> Federal Rule of Civ. Proc. 60(b). All other portions of the order shall remain unchanged and in effect.

IT IS SO ORDERED.

Dated: June 13, 2005

CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE